

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PAUL NAGY,

Plaintiff,

v.

FMC-ROCHESTER,

Defendant.

Civil No. 09-01 (PJS/JJG)

**ORDER ON REPORT AND
RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's Application To Proceed In Forma Pauperis, (Docket No. 2), is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: 03/13/09

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge